

MEETINGS TO DATE 28
NO. OF REGULARS 18
NO. OF SPECIALS 10

LANCASTER, NEW YORK
OCTOBER 5, 1988

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 5th day of October 1988, at 9:15 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
DONNA G. STEMPNIAK, PLANNING BOARD CHAIRMAN
JOHN P. GOBER, PLANNING BOARD MEMBER
JOHNSTON N. REID, JR. PLANNING BOARD MEMBER
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ABSENT: ANTHONY FRANJOINE, PLANNING BOARD MEMBER
GEORGE E. O'NEIL, PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of the following proposed actions:

- a) The application of Amadori Construction for an excavating permit.
- b) The rezone petition of Lura Ballagh.

**IN THE MATTER OF THE SEQR REVIEW OF THE APPLICATION OF
AMADORI CONSTRUCTION FOR AN EXCAVATING PERMIT -
SCHAFF PROPERTY SITE**

The joint boards then proceeded with the Environmental Assessment on the Amadori Excavating Permit matter with an item for item review and discussion of the project impact and magnitude as outlined on an Full Environmental Assessment Form Part 2 which was provided to each member.

The Review Committee found as follows:

1. The proposed action will result in a potentially large physical change to the project site. The impact can be mitigated by project change. A perched water table is noted.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or groundwater quality or quantity.
6. The proposed action will have a potentially large impact upon drainage flow patterns or surface water runoff. The impact can be mitigated by project change. The Review Committee needs more detail on resulting flows and patterns.
7. The proposed action will have a potentially large impact upon air quality. The impact can be mitigated by project change. There is a potential dust problem during construction; need for dust control plan.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will not effect existing transportation systems.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will be a small to moderate impact on noise as a result of this proposed action during construction only.
17. The proposed action will not affect public health and safety **Be it noted,** that approximately 1000 tires on site must be removed and disposed of properly. The Committee notes proximity of the Lancaster Reclamation Site on Pavement Road but sees no potential problem. There should be no disturbance of that site.
18. The proposed action will not affect the character of the existing community.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

Upon motion duly made, seconded and carried the Review Committee tabled the decision on this matter and referred it back to the developer for re-submission to the Review Committee for further information on the following review items:

Item No. 1 Mitigation Plan.

Item No. 6 Mitigation Plan.

Item No. 7 Mitigation Plan.

IN THE MATTER OF THE SEQR REVIEW OF THE REZONE PETITION OF LURA BALLAGH

The joint boards then proceeded with the Environmental Assessment on the rezone petition of the Lura Ballagh matter with an item for item review and discussion of the project impact and magnitude as outlined on an Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER STEMPNIAK
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCILMAN MILLER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
REZONE PETITION OF LURA BALLAGH
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which was a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Nicholas LoCicero, Deputy Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed rezone is of a parcel involving approximately 108 acres.

The location of the premises being reviewed is on the south side of Genesee Street, east of Barton Road, Town of Lancaster, County of Erie.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least four (4) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected. Site contains wetlands/flood plains but should not be affected by planned construction.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or groundwater quality or quantity. A Septic System Permit is needed.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance. Note proximity to Hull Peterson House; no impact.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities. Project restores recreational use of recreation space.
14. The proposed action will have a small to moderate effect on existing transportation systems. There are future plans for a N/S Beltway across the site. Applicant is aware of this planned beltway and will build accordingly.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will be no objectional odors, noise, or vibration as a result of this proposed action. No sound amplification of music or public address system operation will be permitted after dark.
17. The proposed action will not affect public health and safety.
18. The proposed action will not affect the character of the existing community.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

October 5, 1988

s/s _____
Stanley Jay Keysa, Supervisor
Town of Lancaster

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is here by authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

| | |
|---------------------------------|------------|
| SUPERVISOR KEYSA | VOTED YES |
| COUNCILMAN GIZA | VOTED YES |
| COUNCILMAN CZAPLA | VOTED YES |
| COUNCILMAN KWAK | VOTED YES |
| COUNCILMAN MILLER | VOTED YES |
| PLANNING BOARD CHAIR. STEMPNIAK | VOTED YES |
| PLANNING BOARD MEMBER FRANJOINE | WAS ABSENT |
| PLANNING BOARD MEMBER GOBER | VOTED YES |
| PLANNING BOARD MEMBER O'NEIL | WAS ABSENT |
| PLANNING BOARD MEMBER REID | VOTED YES |
| PLANNING BOARD MEMBER SZYMANSKI | VOTED YES |
| PLANNING BOARD MEMBER WHITTAKER | VOTED YES |

The Notice of Determination was thereupon unanimously adopted.

October 5, 1988

ON MOTION DULY MADE, SECONDED AND CARRIED, by voice vote, the Joint meeting was adjourned at 10:30 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk